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2 **S A C K E T T**  
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10 Attorney for Plaintiff

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION

14 JAY S. LINGENFELTER, ) No.: 3:12-cv-03114- JST  
15 Plaintiff, )  
16 v. ) STIPULATION AND ORDER FOR  
17 ) DISMISSAL  
18 CAROLYN W. COLVIN,<sup>1</sup> )  
19 Acting Commissioner, )  
20 Social Security Administration, )  
21 Defendant. )  
22 )  
23 )  
24 )  
25 )

26 Plaintiff and Defendant, through their respective attorneys, hereby stipulate that this  
27 matter be dismissed in its entirety without prejudice. Each party shall bear their own attorney's  
28 fees and costs.

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<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for Commissioner Michael J. Astrue as Defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

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MELINDA L. HAAG  
United States Attorney

Dated: April 15, 2013

/s/  
ANNABELLE J. YANG  
Special Assistant U.S. Attorney  
Social Security Administration  
Attorney for the Defendant

Dated: April 15, 2013

/s/  
HARVEY P. SACKETT  
Attorney for Plaintiff  
JAY S. LINGENFELTER

IT IS SO ORDERED.

Dated: April 15, 2013

  
HON. JON S. TIGAR  
United States District Judge